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Error to Circuit Court, New Kent County.

Action by C. A. Moore against C. L. Harrison. Judgment for defendant, and plaintiff brings error. Writ of error dismissed.

*Haw & Haw*, of Richmond, for plaintiff in error.

*L. O. Wendenburg*, of Richmond, for defendant in error.

VIRGINIA RY. & POWER CO. *v.* JOHNSON.

Jan. 16, 1913.

[76 S. E. 916.]

**1. Street Railroads (§ 114\*)—Action for Injuries—Sufficiency of Evidence—Contributory Negligence.**—Evidence in an action for personal injuries from a collision between plaintiff's buggy and defendants' car at a crossing held to show that the plaintiff, who was driving with a top buggy and a loose rein, without looking for an approaching car until the point of collision was reached, was negligent.

[Ed. Note.—For other cases, see Street Railroads, Cent. Dig. §§ 239-250; Dec. Dig. § 114.\* 4 Va.-W. Va. Enc. Dig. 135; 14 Va.-W. Va. Enc. Dig. 294; 15 Va.-W. Va. Enc. Dig. 245.]

**2. Street Railroads (§ 114\*)—Action for Injuries—Sufficiency of Evidence.**—Evidence in an action against a street railroad for injuries to plaintiff from the collision of defendants' car with his buggy at a street crossing, where each was visible to the other from a distance of 75 or 100 feet, held to show that the motorman was negligent in not keeping proper lookout for travelers.

[Ed. Note.—For other cases, see Street Railroads, Cent. Dig. §§ 239-250; Dec. Dig. § 114.\* 4 Va.-W. Va. Enc. Dig. 129.]

**3. Street Railroads (§ 102\*)—Action for Injuries—Proximate Cause—Concurrent Negligence.**—Plaintiff whose negligence concurred with that of defendants' motorman as the proximate cause of a collision at a street crossing could not recover.

[Ed. Note.—For other cases, see Street Railroads, Cent. Dig. §§ 186, 194, 200, 203; Dec. Dig. § 102.\* 10 Va.-W. Va. Enc. Dig. 380; 14 Va.-W. Va. Enc. Dig. 767; 15 Va.-W. Va. Enc. Dig. 724.]

Error to Law and Equity Court of City of Richmond.

Action by W. I. Johnson against the Virginia Railway & Power Company. From an order of ruling a demurrer to the evidence and rendering judgment against defendant for the damages provisionally assessed by the jury, defendant brings error. Reversed and judgment rendered for defendant.

*H. W. Anderson*, *A. B. Guigon*, and *Thos. P. Bryan*, all of Richmond, for plaintiff in error.

*J. R. Pollard* and *L. O. Wendenburg*, both of Richmond, for defendant in error.

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\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.